

**ORDINANCE NO. 14-93
CHAPTER 3
TO PROVIDE FOR REGULATION OF
ADVERTISING BILLBOARD SIGNS**

AN ORDINANCE to amend Chapter 3 of the 1984 Detroit City Code by adding Sections 3-5-6 and by amending Sections 3-1-2 and 3-5-1 and to amend Chapter 61 of the 1984 Detroit City Code by adding Sections 32.0085, 130.0210, 130.0212, 130.0214, 130.0216, 130.0218, 130.0220 and by amending Sections 32.0088, 90.0700, 93.0700, 94.0700, 96.0700, 100.0700, 101.0700, 112.0200, 113.0200, 116.0700, 130.0000, 130.0101, 130.0103, 130.0104, 130.0204, 130.0301, 130.0401, 130.0501, 130.0504, 130.0506, 130.0601, 130.0701, and 130.0801 of Ord. 390-G, the Official Zoning Ordinance to provide for the regulation of signs in the City of Detroit.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT

Section 1. Chapter 3 of the 1984 Detroit City Code be amended by adding Sections 3-5-6 and by amending Section 3-1-2 and 3-5-1, as follows:

Sec. 3-1-2 Signs and billboards prohibited near freeways; exceptions.

(a) No display sign or display structure requiring a permit under the building code of the city, shall be erected:

(1) Within one hundred twenty-five (125) feet of the edge of the traveled roadway of any freeway or interchange ramps, between freeways used by traffic facing the display side of such sign or structure, or within twenty-five (25) feet of the right-of-way line of any freeway which, for the purpose of this section, shall be the property line separating abutting privately owned property from the freeway or service drive, street or alley immediately adjacent thereto, whichever distance is greater, when the display matter can be seen by traffic traveling on the freeway or interchange ramp; except, that these distances shall not apply to signs which pertain to business of the occupants of the building upon which the sign is mounted, where in the opinion of the division of traffic engineering, they would not be in conflict with the intent and purposes of this section; or

(2) In an area bordering a freeway which is zoned residential; or

(3) With a changeable message of more than two (2) lines with more than eighteen (18) characters per line, exclusive of a combined time and temperature indication.

(b) The message change cycle of a changeable message sign shall not be less than one minute per message, except in a combined time and temperature sign, where the change cycle shall be not less than thirty (30) seconds.

(c) No sign containing an animated or moving feature, either mechanical, electrical or by changing illumination, shall be erected or operated and no existing sign shall be altered or changed so as to contain such animation if visible to freeway traffic, except with specific approval by the division of traffic engineering, as to form and plan of operation so as not to create a hazard to vehicular traffic.

(d)(1) If a permit application is not approved by the division of traffic engineering, and upon request of the permittee, a public hearing shall be granted before the division of traffic engineering. At such hearing, consideration shall be given to the potential hazard which would be created to vehicular traffic by virtue of the location, method of animation, degree of distraction to drivers, or from other features which might create such hazard as are peculiar to the specific display sign or display structure covered by the requested permit;

(11) If, in accordance with Sec. 3-1-2(D) (1), a public hearing is held and a finding of "no hazard to vehicular traffic" is made, the Department of Transportation shall approve the permit application for the proposed sign.

(e) Within five (5) years from the date a freeway or portion thereof is open to public travel, or within ten (10) years after erection or major reconstruction, whichever date is later, all display signs and display structures which are in conflict with the provisions of this section shall be removed, relocated or altered so as to eliminate such conflict.

Sec. 3-5-1 Permit for Installation, etc., required.

It shall be unlawful for any person to erect, install, construct or alter any sign until a permit has been issued.

As of the effective date of this Ordinance, it shall be unlawful for any person to create a painted wall graphic serving as an advertising sign, as defined in the official zoning ordinance, until a sign license has been issued.

Sec. 3-5-6 Revocation of Permit for Noncompliance.

Upon the failure, neglect or refusal by the responsible party or parties to remove or to put a sign into a good state of repair or to otherwise bring a sign into compliance with any applicable law within sixty (60) days after written notice to do so, the Buildings and Safety Engineering Department shall send official notice in accordance with the procedures established in the Building Code that a show-cause hearing will be held by the Buildings and Safety Engineering Department in order to determine why the permit, issued for said sign, should not be revoked.

For purposes of this article, responsible party shall include the sign permitholder, or sign owner.

Section 2. Chapter 61 of the 1984 Detroit City Code be amended by adding Sections 32.0085, 130.0210, 130.0212, 130.0214, 130.0216, 130.0218, 130.0220 and by amending Sections 32.0088, 90.0700, 93.0700, 94.0700 96.0700,100.0700, 101.0700,112.0200: 113.0200, 116.0700, 1:30.0000, 130.0101, 130.0103, 130.0104, 130.0204, 130.0301, 1:30.0401, 130.0501,

130.0504, 1:30 , 0505, 130.0601, 130.0701, and 130. 0801 of Ord. 390-G, the Official Zoning Ordinance as follows:

32.0085 Setback.

The required minimum horizontal distance between a structure or the building line and the related front, side, or rear lot lines.

32.0088 Sign.

A sign is a name, identification, description, display, or illustration which is affixed or applied to or painted or represented directly or indirectly upon a building, structure, or zoning-lot, and which is designed or intended to convey information to the public in written or pictorial form. However, a "sign" shall not include any display of official court or public agency notices, nor shall it include the flag, emblem, or insignia of a nation, political unit, school, or religious groups.

Sign, advertising. A sign which directs attention to a business, commodity, service, or entertainment, conducted, sold, or offered elsewhere than on the premises on which the sign is located or painted or to which it is affixed, or only incidentally sold or offered on the premises.

Any sign, display, or device allowed under this Ordinance may contain, in lieu of any other message, any otherwise lawful noncommercial message that does not direct attention to a business operated for profit, or to a commodity or service for sale, and that complies with zoning district, height, lighting, setback, and spacing requirements of this Ordinance.

Sign, area of. The area of a sign shall be computed as the entire area circumscribed by a parallelogram, triangle, circle, or semicircle, or any combination of these figures, which includes all of the display area of the sign including frames surrounding display areas.

Sign, business. A sign, at least 50 percent of whose area is devoted to directing attention to the principal business or profession conducted, or to the principal type of commodity, service, or entertainment sold or offered on the premises on which the sign is located or to which it is affixed.

Sign, directional. A sign directing and guiding traffic or parking but bearing no advertising matter.

Sign, double-face. A sign, both sides of which are visible and used as signs. A "V" type sign shall be considered a double-face sign provided the least angle of intersection does not exceed ninety (90) degrees. A multi-face sign has more than two display areas, all of which are visible and used as signs.

Sign, Electronic Message Board. Any sign that uses changing lights to form a sign message or messages wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. For regulatory purposes, electronic message board signs are flashing signs.

Sign Face. The area or display surface used for the message.

Sign, flashing. Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity or color at all times when in use.

Sign, Identification. A sign identifying the name of the individual, profession, occupation, organization, hotel, or motel occupying the premises, or the name or street number of the building. Information directly related to principal or accessory uses of the property may also be included provided not more than thirty-five percent of the area of the sign is devoted to said information.

Sign, Illuminated. Any sign designed to give forth any artificial light, or designed to reflect such light deriving from any source which is intended to cause such light or reflection.

Sign, painted wall graphic. Any sign, exceeding ten (10) square feet in area, which is painted upon a wall.

Sign, political. An advertising sign announcing or supporting political candidates or issues in connection with any national, state or local election or referendum.

Sign, projecting. A sign constructed or erected so as to be attached at one end to a building, pole, or other structure and projecting out therefrom.

Sign, real estate. A sign advertising that the premises on which it is located is for sale, lease, or rent.

Signs; roof, ground, or wall. Signs which are affixed to or comprise a part of the roof, ground, or wall.

90.0700 Height Requirements.

Building and structures shall comply with the height limitations as may be specified in each district. Ground or freestanding signs shall not exceed seventy (70) feet in height as specified at Section 130.0201.

93.0700 Height Limitations.

The maximum height for each principal use shall not exceed thirty-five (35) feet; provided.

a) If the street on which the zoning-lot fronts has a right-of way of sixty-six (66) feet or more, the Buildings and Safety Engineering Department may permit a greater height, provided that a finding is made that the increased height is necessary to serve the function for which the building is intended, and that said increase will not be injurious to the contiguous or surrounding property and not contrary to the spirit and purpose of this Ordinance.

b) If the zoning-lot fronts on a street which is eighty (80) feet or more in width, and is designated by the Master Plan as a major or secondary thoroughfare, and if the outermost point of the

proposed building on said zoning lot is forty (40) feet or more from the nearest point of the lot line of all R1, R2, and R3 Districts, the maximum height may be increased, as a matter of right, one foot for each one foot of street width greater than eighty (80) feet. In no case, however, shall the building exceed eighty (80) feet in height.

(c) If the zoning-lot fronts on a street which is eighty (80) feet or more in width, and is designated by the Master Plan as a major or secondary thoroughfare, and if the zoning-lot abuts or is adjacent to any zoning district other than an R1, R2 or R3 District, the maximum height may be increased, as a matter of right, one foot for each one foot of street width greater than eighty (80) feet, regardless of the location of the proposed structure. In no case, however, shall the building exceed eighty (80) feet in height.

The provisions of this section shall also apply to signs; ground or freestanding signs shall not exceed seventy (70) feet in height.

94.0700 Height Limitations

The maximum height for each principal use shall not exceed thirty-five (35) feet; provided,

a) If the street on which the zoning-lot fronts has a right-of way of sixty-six (66) feet or more, the Buildings and Safety Engineering Department may permit a greater height, provided that a finding is made that the increased height is necessary to serve the function for which the building is intended, and that said increase will not be injurious to the contiguous or surrounding property and not contrary to the spirit and purpose of this Ordinance.

b) If the zoning-lot fronts on a street which is eighty (80) feet or more in width, and is designated by the Master Plan as a major or secondary thoroughfare, and if the outermost point of the proposed building on said zoning lot is forty (40) feet or more from the nearest point of the lot line of all R1, R2, and R3 Districts, the maximum height may be increased, as a matter of right, one foot for each one foot of street width greater than eighty (80) feet. In no case, however, shall the building exceed eighty (80) feet in height.

c) If the zoning-lot fronts on a street which is eighty (80) feet or more in width, and is designated by the Master Plan as a major or secondary thoroughfare, and if the zoning-lot abuts or is adjacent to any zoning district other than an R1, R2 or R3 District, the maximum height may be increased, as a matter of right, one foot for each one foot of street width greater than eighty (80) feet, regardless of the location of the proposed structure. In no case, however, shall the building exceed eighty (80) feet in height.

The provisions of this section shall also apply to signs; ground or freestanding signs shall not exceed seventy (70) feet in height.

96.0700 Height Limitations.

No building or structure, or part thereof, shall be erected or altered to a height exceeding eighty (80) feet.

Ground or free-standing signs shall not exceed seventy (70) feet in height.

100.0700 Height Requirements.

Buildings and structures shall comply with the height limitations as specified in each district. Ground or free-standing signs shall not exceed seventy (70) feet in height as specified at Section 130.0201.

101.0700 Height Limitations

The maximum height for each principal use shall not exceed thirty-five (35) feet; provided,

a) If the street on which the zoning-lot fronts has a right-of way of sixty-six (66) feet or more, the Buildings and Safety Engineering Department may permit a greater height, provided that a finding is made that the increased height is necessary to serve the function for which the building is intended, and that said increase will not be injurious to the contiguous or surrounding property and not contrary to the spirit and purpose of this Ordinance.

b) If the zoning-lot fronts on a street which is eighty (80) feet or more in width, and is designated by the Master Plan as a major or secondary thoroughfare, and if the outermost point of the proposed building on said zoning lot is forty (40) feet or more from the nearest point of the lot line of all R1, R2, and R3 Districts the maximum height may be increased, as a matter of right, one foot for each one foot of street width greater than eighty (80) feet. In no case, however, shall the building exceed eighty (80) feet in height ,

c) If the zoning-lot fronts on a street which is eighty (80) feet or more in width and is designated by the Master Plan as a major or secondary thoroughfare, and if the zoning-lot abuts or is adjacent to any zoning district other than an R1, R2 or R3 District, the maximum height may be increased, as a matter of right, one foot for each one foot of street width greater than eighty (80) feet, regardless of the location of the proposed structure. In no case, however, shall the building exceed eighty (80) feet in height.

The provisions of this section shall also apply to signs; ground or freestanding signs shall not exceed seventy (70) feet in height.

112.0200 Review Process.

The exterior design, appearance, and location of any proposed building, or exterior alteration of any existing building, structure, or premises, or part thereof, including any exterior signs, and parking, loading, or unloading areas shall be reviewed by the Community and Economic Development and City Planning Commission, to ensure harmony with the public center within which it is located and consistency with the spirit, intent, and purpose of this Ordinance. A written report shall be filed with the City Council recommending approval or disapproval of the proposed use, facility, or alteration, and recommending any changes deemed necessary to ensure conformity with the spirit, intent, and purpose of this district. The Council shall, in each case, by resolution, approve, disapprove, or adjust said recommendation. Advertising signs shall not be permitted in the PC District.

113.0200 Review process

The exterior design, appearance and location of any proposed building, or exterior alteration of any existing building, structure, or premises, or part thereof, and the location and design of any proposed sign, parking facilities or loading and unloading areas shall be reviewed by the Community and Economic Development and City Planning Commission for consistency with the spirit, purpose, and intent of this district. The Council shall, in each case, by resolution, approve, disapprove, or adjust said recommendation. Advertising signs shall not be permitted in the PCA District.

116.0700 Height limitations.

No building or structure, or part thereof, shall be erected or altered to a height exceeding eighty (80) feet, provided that in any portion of a W1 District 150 feet or more from all R1, R2, R3, R4, R5, R6, and residential PD Districts, there shall be no limitation on the height of buildings or structures.

Ground or free-standing signs shall not exceed seventy (70) feet in height.

ARTICLE XIII. SIGNS

130.0000 Sign regulations.

Sign controls have been written for each district and placed in this one section of the Ordinance for ease of use and administration. All signs have been divided into six major categories advertising, business, directional, identification, institutional bulletin, and real estate. These are then further divided according to structure type, viz., double-face, flashing, illuminated, roof, ground, and wall. As an aid to the user of the Ordinance, definitions pertaining to signs have been restated in the first part of this Section.

130.0101 Sign. A sign is a name, identification, description, display, or illustration which is affixed or applied to or painted or represented directly or indirectly upon a building, structure, or zoning-lot and which is designed or intended to convey information to the public in written or pictorial form. However, a "sign" shall not include any display of official court or of public agency notices, nor shall it include the flag, emblem, or insignia of a nation, political unit, school, or religious group.

130.0103 Major Categories:

a) Advertising Sign. A sign which directs attention to a business, commodity, service, or entertainment, conducted, sold, or offered elsewhere than on the premises on which the sign is located or to which it is affixed, or only incidentally sold or offered on said premises.

Any sign, display, or device allowed under this Ordinance may contain, in lieu of any other message, any otherwise lawful noncommercial message that does not direct attention to a business operated for profit, or to a commodity or service for sale, and that complies with zoning district, height, lighting, setback, and spacing requirements of this ordinance.

b) Business Sign. A sign, at least fifty (50) percent of whose area is devoted to directing attention to the principal business or profession conducted, or to the principal type of commodity, service, or entertainment sold or offered on the premises on which the sign is located or to which it is affixed.

c) Directional Sign. A sign directing and guiding traffic or parking but bearing no advertising matter.

d) Identification Sign. A sign identifying the name of the individual, profession, occupation, organization, hotel, or motel occupying the premises, or the name or street number of the building. Information directly related to principal or accessory uses of the property may also be included, provided not more than thirty-five (35) percent of the area of the sign is devoted to said information.

e) Institutional Bulletin. A sign of any governmental agency, religious group, fraternal or philanthropic organization, hospital, or school, and located on the premises and bearing only information related to activities conducted on the premises, persons involved, or other identification information.

f) Real Estate Sign. A sign advertising that the premises on which it is located is for sale, lease, or rent.

130.0104 Structural Types:

a) Double-Face Sign. A sign, both sides of which are visible and used as signs. A "V" type sign shall be considered a double-face sign provided the least angle of intersection does not exceed ninety (90) degrees.

b) Flashing Sign. Any illuminated sign, including electronic message board signs as defined at section 32.0088, on which the artificial light is not maintained stationary or constant in intensity or color at all times when in use.

c) Illuminated Sign. Any sign designed to give forth any artificial light, or designed to reflect such light deriving from any source which is intended to cause such light or reflection.

d) Projecting Sign. A sign constructed or erected so as to be attached at one end to a building, pole, or other structure, and projecting out therefrom.

e) Roof, Ground, or Wall Signs. Signs which are affixed to or comprise a part of the roof, ground, or wall.

f) Painted wall graphic. Any sign, exceeding ten (10) square feet in area, which is painted upon a wall.

130.0204 Real Estate Signs and political signs:

a) Area and Number. In residential zoning district classifications - any such sign not exceeding six square feet in area nor located closer than eight feet to any other zoning-lot, shall be permitted. On a corner lot, the maximum size sign shall be permitted on each street frontage.

b) Height. No real estate sign and no political sign in a residential district classification shall extend higher than fifteen (15) feet above the level of the nearest sidewalk.

130.0210 Setback provisions for advertising signs.

Advertising signs shall be set back:

a) Not less than forty feet (40') from all residential zoning districts and residential PD districts.

b) Not less than five feet (5') from any lot line dividing the lot from a street and, when applicable, not less than any required setback as provided in Section 100.0501.

130.0212 Spacing provision between advertising signs.

An advertising sign shall not be erected, affixed, applied, painted, or represented directly or indirectly upon a building, structure, or zoning lot closer than five hundred feet (500'), measured linearly, to another advertising sign.

The provisions of this section shall not apply to advertising signs separated by a building or other visual obstruction in such a manner that only one (1) sign located within the spacing distance is visible from the roadway at any time. The provisions of this section shall likewise not apply to advertising signs oriented to opposing traffic.

In the case of double-face signs and v-shaped signs, two advertising signs shall be considered as oriented to opposing directions of traffic if the least angle of intersection of the two sign faces does not exceed forty-five (45) degrees.

130.0214 Corner-Lot Signs. For purposes of spacing, advertising signs on corner zoning lots shall be deemed as being oriented to all intersecting roadways, except In such Instances where only the non-display area on the back of the sign is visible to a roadway.

If the placement of a proposed advertising sign on a corner zoning lot would result in more than one sign being visible from intersecting roadways, one of the signs must be at least three hundred feet (300') from the point where the center lines of said roadways intersect.

130.0216 Spacing provision between advertising signs and schools or playgrounds or parks.

Advertising signs shall not be permitted within five hundred feet (500), measured linearly, of any school site, public playground, or public park.

130.0218 Advertising Sign Permit Application Requirements.

Appended to the advertising sign permit application, the applicant shall furnish the department with a map drawn to scale, as per departmental guidelines, indicating all land within five hundred

(500) linear feet of the proposed advertising sign, along the roadway(s) bordering the zoning lot on which the sign is to be located. The applicant shall indicate on the map the exact location of:

1. The sign on the zoning lot;
2. All existing advertising signs and the direction in which those signs are oriented;
3. All school sites, public playgrounds and public parks.

The applicant shall provide a listing of the range of addresses for each street falling within the five hundred (500) linear feet of the proposed advertising sign site.

Permit applications for advertising signs, proposed at a location for which a Michigan Department of Transportation permit is required, shall be accompanied by the Michigan Department of Transportation permit.

Whenever possible, the address of a proposed advertising sign indicated on a sign permit application shall correspond to the street toward which the sign is oriented.

The applicant shall confirm by affidavit that the information contained in and appended to the sign permit application is, to the best of the applicant's knowledge, accurate.

130.0220 Painted wall graphics serving as advertising signs.

Alteration, restoration, repair, or repainting of painted wall graphics, serving as advertising signs, that were in existence prior to the effective date of this ordinance shall be permitted as a matter of right, provided that

- a) The name of the owner of the property and the address of the sign have been placed on record with the Buildings and Safety Engineering Department within two (2) years of the effective date of this ordinance, and
- b) A sign license is issued for the advertising sign, and
- c) If the advertising sign is not placed on record with the department within two (2) years of the effective date of this ordinance, any alteration or repainting of the sign shall be done only in conformance with the provisions of the ordinance.

130.0300 Signs In R1, R2, R3, R4, R5 Restriction and R6 Districts.

Unless otherwise specified, only the following signs, subject to the stated conditions, shall be permitted:

130.0301 Permitted Signs.

- a) Identification signs.
- b) Directional signs in accordance with the provisions of Section 130.0202.
- c) institutional bulletins in accordance with the provisions of Sections 130.0203 and 130.0205.

d) Real estate signs and political signs in accordance with the provisions of Section 130.0204, excepting that no rooms for rent signs shall be permitted in the R1 or R2 Districts.

130.0400 Signs In B1, B2, SD1, and SD2 Districts.

Unless otherwise specified, only the following signs, subject to the stated conditions, shall be permitted:

130.0401 Permitted Signs:

- a) Business signs in accordance with the provisions of Section 130.0201 and 130.0205.
- b) Identification signs in accordance with the provisions of Sections 130.0201 and 130.0205.
- c) Directional signs in accordance with the provisions of Section 130.0202.
- d) Institutional bulletins in accordance with the provisions of Sections 130.0203 and 130.0205.
- e) Real Estate signs and political signs in accordance with the provisions of Section 130.0205.
- f) Advertising signs in the B2 District only in accordance with the provisions of Section 130.0201.

130.0500 Signs In B3, B4, B5, B6, W1, M1, M2, M3, M4, and M5 Districts.

Unless otherwise specified, only the following signs, subject to the stated conditions, shall be permitted:

130.0501 Permitted Signs:

- a) Business signs in accordance with the provisions of Section 130.0201.
- b) Identification signs in accordance with the provisions of Section 130.0201.
- c) Advertising signs in accordance with the provisions of Section 130.0201 and 130.0218-130.0228.
- d) Directional signs in accordance with the provisions of Section 130.0202.
- e) Institutional bulletins in accordance with the provisions of Section 130.0201.
- f) Real estate signs and political signs in accordance with the provisions of Section 130.0201.

130.0504 Projection of Certain Signs.

Signs, other than advertising signs, may project into a right-of-way but in no instance shall such signs project beyond the curb. 130.0505 Illumination of Signs:

a) Signs may be either non-illuminated or illuminated, provided, that flashing or blinking signs shall be no closer than 100 feet to property zoned in a residential district classification if the face of such sign is visible from said property.

b) Illuminated signs shall be so arranged that all such lighting shall be focused away from all residential zoning districts or residential PD Districts.

130.0600 Signs in PCA Districts.

130.0601 Permitted Signs:

a) Business signs in accordance with the provisions of Section 130.0205 and subject to the approval of the city planning commission as to size, location, and general design.

b) Identification signs in accordance with the provisions of Section 130.0205 and subject to the approval of the city planning commission as to size, location, and general design.

c) (Repealed)

d) Directional signs in accordance with the provisions of Section 130.0202.

e) Institutional bulletins in accordance with the provisions of Sections 130.0203 and 130.0205.

f) Real estate signs and political signs in accordance with the provisions of Section 130.0205.

130.0700 Signs In TM Districts.

Unless otherwise specified, only the following signs, subject to the stated conditions, shall be permitted:

130.0701 Permitted Signs:

a) Business signs in accordance with the provisions of Section 130.0201.

b) Identification signs in accordance with the provisions of Section 130.0201.

c) Directional signs in accordance with the provisions of Section 130.0202.

d) Institutional bulletins in accordance with the provisions of Section 130.0203.

e) Real estate signs and political signs in accordance with the provisions of Section 130.0205.

130.0800 Signs In PC, PD, and P1 Districts.

130.0801 Permitted Signs.

Signs shall be permitted in PC, PD, or P1 Districts subject to the development controls established in the applicable district regulations. Advertising signs shall not be permitted in the PC and P1 zoning districts.

Section 3. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance.

Section 4. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 5. This ordinance is declared necessary for the preservation of the public peace, health, safety and welfare of the people of the City of Detroit and is hereby given immediate effect.

(J.C.C. P.	July 21, 1993)
Passed	July 21, 1993
Approved	July 28, 1993
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JAMES H. BRADLEY
City Clerk